

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MARLO MARQUEZ,

Plaintiff,

vs.

Civ. No. 01-445 WWD/LFG

THE CITY OF ALBUQUERQUE,
OFFICER ANDREW LEHOCKEY (both
in his official capacity as a police officer
and individually),

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon the Motion for Separate Trials filed by Defendants Andrew Lehockey and the City of Albuquerque on April 3, 2002 [docket no. 56]. During the pendency of this motion, the Honorable Lorenzo F. Garcia has entered what I consider to be a persuasive opinion in a companion case involving the same two Defendants. Jimmy Castillo v. City of Albuquerque, USDC Civ. No. 01-626 LFG/WWD. I will adopt the reasoning set out by Judge Garcia in its entirety and will grant the instant motion. The trial on non-supervisory claims will be held September 30, 2002.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE